IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Stepheny DiBenedetto, Plaintiff, vs. Life Insurance Company of North America, Apple, Inc. Short Term Disability Plan, Defendants.	)	Civil Action No. 6:19-cv-01135-DCC ORDER OF DISMISSAL

The Court having been advised by counsel for the parties that the above action has been settled as to Apple, Inc. Short Term Disability Plan,

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice as to Apple, Inc. Short Term Disability Plan. If settlement is not consummated within sixty (60) days, either party may petition the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R.Civ.P. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the Court to enforce the settlement. Fairfax Countywide Citizens v. Fairfax County, 571 F.2d 1299 (4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to enforce the settlement agreement. Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 381-82 (1994).

The dismissal hereunder shall be with prejudice as toApple, Inc. Short Term Disability Plan. if no action is taken under either alternative within sixty (60) days from the filing date of this order.

IT IS SO ORDERED.

s/Donald C Coggins, Jr.
Donald C. Coggins, Jr.
United States District Judge

June 19, 2019
Spartanburg, South Carolina